

Menominee Nation News

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Legislature approves MTE Charter

By Mike Wilber
Menominee Nation News

The Menominee Tribal Legislature has passed ordinance 99-21, Charter for Management of Tribal Forest Lands by Menominee Tribal Enterprises, a move the tribal chairman says brings MTE squarely under the Menominee Constitution.

The charter terminates the Menominee Enterprises Plan of 1975 and establishing a successor business, something the legislature says is called for in Article XII of the tribal constitution.

It would also provide for an independent, impartial review of the health of the Menominee forest, and will bring the election of the MTE board to coincide with the election of the legislature.

"The charter accomplishes objectives the constitution sets out," said Apesanahkwat, Menominee tribal chairman. "Past legislatures have only reaffirmed the management plan (of 1975) instead of bringing it under the constitution."

Apesanahkwat also stated the charter does not allow the legislature to interfere with day-to-day operations of MTE, and brings them into stricter

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Menominee Homecoming



M. Wilber/MNN

Cruisin the midway. After a twenty six year hiatus the Menominee Fair returns to the Menominee reservation. Story, additional photos on page 21

Payment from Tribe's Lawsuit Stalled

By Yvonne M. Kaquatosh
Menominee Nation News

An earlier statement made by Menominee Tribal Chairperson Apesanahkwat indicated that payment from the tribe's lawsuit would be made by Dec. 1 – to each enrolled tribal member.

However, Federal law requires that certain procedures must be accomplished prior to distribution. Tribal officials became aware of the specifics shortly after the Menominee Tribal Fairness Act of 1999 was signed by President Bill Clinton on August 17th.

As a result, Menominee Tribal members may not receive their share of the \$32 million settlement until late Feb. 2000.

Secretary of the Interior Bruce Babbitt has 180 days from the date of the signing to present the document to Congress. In turn, Congress has 60 days to act on it.

Community meetings have been scheduled to better inform tribal members about the process and review the plan.

The meetings, explained Tribal Administrator Betty Jo Wozniak, will give tribal members the opportunity to

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Traditional Menominee Elder's Pow wow scheduled

By Yvonne M. Kaquatosh
Menominee Nation News

A traditional Menominee elder's powwow will be held on Saturday, October 9, 1999 at the Menominee Tribal School gymnasium.

"One of the elder's on the commission felt the elder's would like to participate in a traditional pow wow," explained Rose Wayka, Director of the Language & Culture Commission.

It is a time for reflection. "This is an opportunity to give the children a

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Collaborative council launches innovative community campaign

Special to MNN

(KESHENA, WI) The Menominee Collaborative Council, made up of representatives from the Menominee Indian Tribe, Menominee County government, local educational facilities, law enforcement, area businesses, social service agencies and organizations, has developed an innovative campaign designed to involve the entire community. It's called "Indian Time is On Time."

"It started with a discussion about

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how busy everyone's lives have become," said Betty Jo Wozniak, Menominee Tribe Administrator. "We realized that because of the hectic pace of things, people have a tendency to think ahead and not pay attention to what's happening right now. Plus, people run late because there's so much going on. It might not be so bad if it didn't effect other people as well."

Working with nationally known educational expert, Larry Mazin, Ph.D., the Council began discussing the impact of such behavior. "We looked at the phrase, 'be there, be on time' and discussed what it meant in our everyday lives," said Menominee Tribal Clinic Administrator Jerry Waukau. "What we realized is that there is a lot of lost time, money and effort at work and school. Social agencies get backed up or lose money because of missed or late appointments. Also, law enforcement often sees the effect of parents not "being there" for their children. The implications are pretty dramatic."

Further complicating the issue is the fact that some people use the excuse they're on 'Indian time.' "But, there is no such thing as Indian time," said Tribal elder Earl Wescott. "We take pride in who we are and what we do. Being there for those who need us, and being on time for whatever we do is important, and it shows respect."

Following the discussions, the Collaborative Council decided to launch a campaign called "Indian Time is On Time."

A host of activities are planned for the campaign, which officially gets underway the week of September 13. "It coincides with the official school counts, which take place at Menominee Indian Public Schools (MISD) on September 17 and at the Tribal School from September 20th through the 24th," explained MISD Superintendent John Rothlisberg, who is a member of the Collaborative Council. "These counts are just one example of how important it is for our students to be in school. For every student who isn't present that day, and as a result aren't officially counted in our census, we can lose nearly 10-thousand dollars in state and federal aids."

Many workplaces are promoting the campaign with special events, attendance competitions and food. "We want people to have fun while realizing the importance of this campaign," said James Reiter, General Manager of the Menominee Casino/Bingo/Hotel. "People will be seeing bumper stickers, posters and banners throughout the community."

Menominee Tribal Chairman Apesanahkwat has declared Friday, September 17 as "Count Day," in order to promote full attendance at all community activities and to call for an end to unnecessary absenteeism and tardiness.

"Full attendance in every aspect of our lives lends to our individual credibility and reputation," he said. "Plus, it promotes healthier lifestyles, benefits our families and careers, saves time and

money and strengthens our community."

To further involve the community, a "Menominee Pride Day" celebration will be held on Saturday, October 2 from 10:00 am. to 2:00 p.m. at Keshena Primary School. The free family-oriented event, open to the public, will feature food, games, live entertainment and displays.

"It is so good to see all of these groups working together," commented Barbara Frechette Kelley, Menominee County Treasurer and active community member.. "We believe this effort can make our community stronger and better." The Collaborative Council is also discussing the next steps in the campaign so the effort can continue on a long-term basis. "We want to develop ways to measure the impact, to see what kind of effect this effort has had on the community," said David A. Miller, Communications Manager for the Menominee Nation.

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compliance with tribal ordinances like Indian preference (82-10). The charter actually reaffirms the powers of the MTE board to conduct day-to-day business, he said.

Legislator Gene Caldwell, also an employee of MTE, was the only vote against passage of the charter, saying he would rather see it put to a referendum and allow greater time for input.

The MTE board plans to challenge the constitutionality of the charter in tribal court.

"I feel that it is totally wrong according to the constitution," said Myron 'Pat' Grignon, MTE board chairman, without commenting on specifics within the charter. "We're going to leave it to the courts to decide," Grignon said.

The independent review of the forest eases some of the community concerns with current forestry practices that include some clearcutting.

Apesanahkwat said the review allows them to get an informed understanding of the forest health and whether or not the forestry prescriptions are consistent with the trust responsibility in the management of the forest.

At the September 2 legislature meeting in which the charter was passed, Alex

'Little Man' Peters, a Menominee logger and MTE board member said the new charter is a good thing and input was sought by the legislature from the MTE board in the drafting of the charter.

Others disagreed, saying not enough input was sought from MTE, or that the legislature was

intimidating and condescending when seeking that input. Some, including 'Hub' Latender, called for a general council or a referendum vote on the issue.

During the meeting, Apesanahkwat insisted they were not taking any powers away from MTE to conduct their business. "All we're doing is allowing for a yearly evaluation of the health of the forest. If you question the validity (of the charter) then challenge it in court. What is the problem with making these people accountable in the management of our resources?" he said.

Wendell 'Sim' Askenette also said input was sought from MTE and the legislature didn't get it. "So therefore you have this charter in front of you that you don't agree with," Askenette told those opposed to the adoption of the charter. "It's now on the doorstep of the court."

Other provisions of the charter include:

- * a possible stumpage payment to tribal members when MTE shows a profit over a fiscal year,
- * no person who is employed in a supervisory position in the management of MTE operations, consultant, legal representative, contractor of MTE, officer of the MTE business, or a person convicted of a felony without a certificate of rehabilitation shall be eligible to be a candidate for the election of the board of directors.
- * A special election shall be scheduled by the tribal legislature for the initial MTE Board of Directors pursuant to the charter. The terms of the 12 elected in the special election shall be extended for approximately four months from the date of the special election to February 9, 2000, at which time their regular terms shall begin. Then the annual election of the board of directors shall take place on the second Wednesday of January, beginning 2001, which will also be the first day of the annual MTE business meeting. On that date, the four lowest vote getters in the special election shall be up for re-election. The second day of the business meeting will be February 9, at which newly elected board members shall be sworn in.

"This will give more visibility and participation in the MTE election process," Apesanahkwat said. "If anything, we can be accused of providing greater participation in the democratic process."

He continually stressed that the charter does not take away rights of Menominees to vote, nor does it interfere with day-to-day affairs of MTE.

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ask questions, offer suggestions and review the option plans that have been put together. The two plans are purely suggestive at this point and are not binding documents.

The governing body of the tribe has been working diligently to accommodate everyone involved by setting up local community meetings to get input from tribal members, and ensuring guidelines are met according to BIA requirements.

A special community meeting with the BIA will more than likely be held after the local community meetings. This is a BIA requirement.

Three Tribal Legislative members have been assigned to field questions at each of the seven meeting sites.

All suggestions will be taken into consideration by the individuals working on the plan. A draft of the document will be submitted to MTL for approval before the document is sent to the Secretary.

Rumors began to fly after a news item was published in the Shawano Leader recently that payment to all enrolled members would be delayed. The delay drew disappointment from some tribal members who were counting on receiving their share in time for Christmas.

Tribal members should not put too much stock in rumors that have been floating around in the community in regard to the payment. If you have any questions, you are urged to either ask tribal officials and/or attend the Menominee Tribal Legislature meetings where the most accurate, up-to-date information is at your disposal, added Wozniak.

The federal government ended the tribe's federal trust status from 1961 to 1973. During that period, the tribe's reservation became Menominee County and the tribe plunged into years of poverty and turmoil.

Tribal land became subject to state taxes, and the tribe was forced to close its hospital and sell its phone company and power plant.

In 1967 the tribe filed a lawsuit alleging mismanagement of tribal assets by the Bureau of Indian Affairs. That eventually led to the recent settlement.

In order to be eligible to participate in the per capita distribution associated with the settlement awarded to the Tribe via Public Law 106-54, individuals must:

a. Have been born on or before and living on August 17, 1999 (enactment date of P.L. 106.54)

and;

b. Be on the current tribal rolls; or

c. Become an enrolled tribal member according to the procedure established by the Tribe by:

(1) Completing and submitting an application not later than October 15, 1999; and

(2) Getting the approval of the Tribes Enrollment Committee

Shares belong to tribal members who are eligible according to items 1(a) and (b) or (1)(c) above, but become deceased prior to the actual distribution of the per capita payment will have a trust account established pending the legal determination of heirs. The per capita payment, including any interest earned, will then be distributed to the legal heirs. No payment will be made to the heirs of tribal members who are deceased AFTER the date of approval of the Distribution Plan. 25 CFR §87.1(n).

POWWOW:

visual of what is traditional and to teach the children (in the community) how it used to be having a good time being together, to socialize," said Wayka.

Although it is geared more for elders, members of the community are welcome as well.

This is also a time for cultural teaching/awareness for the young people. Ms. Wayka explained that a lot of the elders have traditional dance outfits that have been stored away for some time. So, she added, "This is a suitable occasion to get their outfits out of storage to show the younger generation."

Grand entry is at 1 p.m. and will be followed by a feast at 5 p.m.

There is no cover charge, and there will be no pay for dancers according to Wayka. Volunteers are needed for transportation and assistance at the pow-wow.

To volunteer, please call Rose Wayka 799-4849. If she is unavailable, please leave a message.